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Hearing Date: February 24, 2016 at 10:00 am
Objections Due: February 1, 2016 at 5:00 pm

*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

STEVEN B. MENDELOW, NANCY
MENDELOW, CARA MENDELOW, PAMELA
CHRISTIAN, C&P ASSOCIATES, LTD., and
C&P ASSOCIATES, INC.,

Defendants.

Adv. Pro. No. 10-04283 (SMB)

**NOTICE OF MOTION FOR ENTRY OF ORDER GRANTING MOTION FOR
LEAVE TO FILE AN AMENDED COMPLAINT AND FOR ENTRY OF ORDER
GRANTING MOTION TO DISMISS WITHOUT PREJUDICE THE TRUSTEE'S
SUBSEQUENT TRANSFEREE CAUSES OF ACTION**

PLEASE TAKE NOTICE that Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities, LLC and the estate of Bernard L. Madoff, by and through the Trustee’s undersigned counsel, will move before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at the United States Bankruptcy Court, the Alexander Hamilton Customs House, One Bowling Green, New York, New York 10004, on **February 24, 2016 at 10:00 a.m.**, or as soon thereafter as counsel may be heard, seeking entry of an order, pursuant to Rules 15 and 41 of the Federal Rules of Civil Procedure, as incorporated in this proceeding by Rules 7015 and 7041 of the Federal Rules of Bankruptcy Procedure, granting the Trustee’s request for leave to file an Amended Complaint, in substantially the form attached as **Exhibit 1** to the December 30, 2015 Declaration of Jonathan B. New, and to dismiss without prejudice Counts Eight through Ten of the Complaint, (the “Subsequent Transferee Causes of Action”), on the grounds and for the reasons set forth in the accompanying Memorandum Of Law In Support Of Trustee’s Motion For Leave To File An Amended Complaint And Dismiss Without Prejudice the Trustee’s Subsequent Transferee Causes Of Action (the “Motion”).

PLEASE TAKE FURTHER NOTICE that any responses or objections to the Motion must be: (i) in writing, conform to applicable rules of this Court and be filed with the Clerk of the United States Bankruptcy Court, One Bowling Green, New York, New York 10004, in accordance with General Order 242 by no later than 5:00 p.m. on **February 1, 2016** (the “Objection Deadline”) (with a courtesy copy delivered to the Chambers of the Honorable Stuart M. Bernstein); and (ii) served upon (a) Baker & Hostetler LLP, counsel for the

Trustee, 45 Rockefeller Plaza, New York, NY 10111, Attn: David J. Sheehan and Jonathan B. New; and (b) Securities Investor Protection Corporation, 1667 K Street, NW, Suite 1000, Washington, D.C. 20006-1620, Attn: Kevin H. Bell, so as to be received no later than the Objection Deadline. Any objections must specifically state the interest that the objecting party has in these proceedings and the specific basis of any objection to the Motion.

PLEASE TAKE FURTHER NOTICE that notice of this Motion will be provided by U.S. Mail or email to all defendants in this adversary proceeding in accordance with the Order Establishing Notice Procedures (ECF No. 4560). The Trustee submits that no other or further notice is required.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is submitted herewith.

Dated: December 30, 2015
New York, New York

By: /s/ Jonathan B. New
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Liquidation of Bernard L. Madoff
Investment Securities LLC and the Estate of
Bernard L. Madoff*